

Message

From: Frank C. Pavia [fpavia@HarrisBeach.com]
Sent: 2/11/2022 3:13:51 PM
To: Ludmer, Margo [ludmer.margo@epa.gov]; Joseph A. Gregg [jagregg@eastmansmith.com]
CC: Doyle, James [Doyle.James@epa.gov]; Kevin Murphy [KMurphy@wladislawfirm.com]
Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

Thank you. Have a great weekend.

Frank C. Pavia
Partner

HARRIS BEACH PLLC
ATTORNEYS AT LAW
99 Garnsey Road
Pittsford, NY 14534
585.419.8709 Direct
585.419.8801 Fax
585.419.8800 Main
fpavia@HarrisBeach.com

practice GREEN
Save a tree. Read, don't print, emails.

-----Original Message-----

From: Ludmer, Margo <ludmer.margo@epa.gov>
Sent: Friday, February 11, 2022 10:13 AM
To: Frank C. Pavia <fpavia@HarrisBeach.com>; Joseph A. Gregg <jagregg@eastmansmith.com>
Cc: Doyle, James <Doyle.James@epa.gov>; Kevin Murphy <KMurphy@wladislawfirm.com>
Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

Thursday at 10:00am works well. Thank you, Frank.

-----Original Message-----

From: Frank C. Pavia <fpavia@HarrisBeach.com>
Sent: Friday, February 11, 2022 10:08 AM
To: Ludmer, Margo <ludmer.margo@epa.gov>; Joseph A. Gregg <jagregg@eastmansmith.com>
Cc: Doyle, James <Doyle.James@epa.gov>; Kevin Murphy <KMurphy@wladislawfirm.com>
Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

Margo,

We can do 10:00 am next Thursday. If that works for you and James, I will circulate a Webex invite.
Thank you.

Frank

Frank C. Pavia
Partner

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-----Original Message-----

From: Ludmer, Margo <ludmer.margo@epa.gov>
Sent: Friday, February 11, 2022 9:19 AM
To: Joseph A. Gregg <jagregg@eastmansmith.com>; Frank C. Pavia <fpavia@HarrisBeach.com>

Cc: Doyle, James <Doyle.James@epa.gov>; Kevin Murphy <KMurphy@wladislawfirm.com>
Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

Unfortunately, we have a conflict at 2pm on Tuesday. Would a time on Thursday work?

-----Original Message-----

From: Joseph A. Gregg <jagregg@eastmansmith.com>
Sent: Thursday, February 10, 2022 7:17 PM
To: Frank C. Pavia <fpavia@harrisbeach.com>
Cc: Ludmer, Margo <ludmer.margo@epa.gov>; Doyle, James <Doyle.James@epa.gov>; Kevin Murphy <KMurphy@wladislawfirm.com>
Subject: Re: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

Good for me.

Sent from my iPhone

> On Feb 10, 2022, at 6:22 PM, Frank C. Pavia <fpavia@harrisbeach.com> wrote:

>

> Margo,

>

> Is there anyway we could do Tuesday at 2:00 pm?

>

> Frank

>

>> On Feb 10, 2022, at 4:43 PM, Ludmer, Margo <ludmer.margo@epa.gov> wrote:

>>

>> Understood, Frank. Jim and I are generally available tomorrow and Monday, Tuesday between 11am and 2pm, and Wednesday after 11am. Please let us know what works best for you, Kevin, and Joe.

>>

>> Best,

>> Margo

>>

>> -----Original Message-----

>> From: Frank C. Pavia <fpavia@HarrisBeach.com>

>> Sent: Thursday, February 10, 2022 4:37 PM

>> To: Ludmer, Margo <ludmer.margo@epa.gov>

>> Cc: Doyle, James <Doyle.James@epa.gov>; Kevin Murphy

>> <KMurphy@WladisLawFirm.Com>; Joseph A. Gregg

>> <jagregg@eastmansmith.com>

>> Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local Disposal Assessment

>>

>> Margo,

>>

>> I apologize for the delay in getting back to you. We would like the first call to be only between you, James, and counsel for the Town, the County and Carrier to bring you up to speed on the current issues. During the call, we can discuss scheduling a broader call with all of the PRP representatives and the consultants.

>>

>> Can you please send your and James' available dates and times over the next week? Thank you.

>>

>> Frank

>>

>>

>>

>>

>> Frank C. Pavia

>> Partner

>>

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>> ATTORNEYS AT LAW

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>> -----Original Message-----

>> From: Ludmer, Margo <ludmer.margo@epa.gov>

>> Sent: Thursday, February 10, 2022 11:30 AM

>> To: Frank C. Pavia <fpavia@HarrisBeach.com>

>> Cc: Nick Paro <nparo@salina.ny.us>; Doug Wickman

>> <dwickman@salina.ny.us>; Doyle, James <Doyle.James@epa.gov>
>> Subject: RE: Lower Ley Creek Subsite, County on Onondaga, Local
>> Disposal Assessment
>>
>> Frank,
>>
>> We would be happy to set up a time to speak about this matter. I will touch base with Jim Doyle and
circle back with our availability. Will your consultants be participating in the proposed meeting?
>>
>> Thank you,
>>
>> Margo
>>
>> Margo Ludmer (she/her)
>> Assistant Regional Counsel
>> New York/Caribbean Superfund Branch
>> Office of Regional Counsel
>> U.S. Environmental Protection Agency, Region 2
>> 212.637.3187
>>
>> -----Original Message-----
>> From: Frank C. Pavia <fpavia@HarrisBeach.com>
>> Sent: Thursday, February 10, 2022 9:13 AM
>> To: Ludmer, Margo <ludmer.margo@epa.gov>
>> Cc: Nick Paro <nparo@salina.ny.us>; Doug Wickman
>> <dwickman@salina.ny.us>; Doyle, James <Doyle.James@epa.gov>
>> Subject: Lower Ley Creek Subsite, County on Onondaga, Local Disposal
>> Assessment
>>
>> Margo,
>>
>> I left a voice mail message with you several days ago about DEC's most recent position regarding the
Town's local disposal proposal for the Lower Ley Creek Subsite. The PRP group's consultant, Arcadis,
informed us yesterday that Ms. Sacks has communicated that DEC's requirements are now part of the local
disposal criteria. This decision was made without input from the PRP group, the Town of Salina's
technical consultants, or Arcadis. Attached is a copy of Ms. Sacks' email which we received last night.
>>
>> We believe that DEC's position is unwarranted from both technical and legal standpoints. It is also
inconsistent with DEC's historical discussions concerning the use of the former landfill site and, more
importantly, now puts the site as the chosen local disposal option in jeopardy.
>>
>> We would like the opportunity to discuss this recent development with you and Jim Doyle at your
earliest convenience. Representatives of the other PRP members would also like to participate in the
discussion. If you and Jim could send me your available dates and times over the next week or so, I
will coordinate with my client and the other members of the PRP group, and set up a Webex or Zoom call.
>>
>> Thank you.
>>
>> Frank
>>
>>
>> Frank C. Pavia
>> Partner
>>
>> HARRIS BEACH PLLC
>> ATTORNEYS AT LAW
>> 99 Garnsey Road
>> Pittsford, NY 14534
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>> 585.419.8800 Main
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>> Statement of Confidentiality
>> This electronic message may contain privileged or confidential information. If you are not the
intended recipient of this e-mail, please delete it from your system and advise the sender.
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>> -----Original Message-----
>> From: Ludmer, Margo <ludmer.margo@epa.gov>
>> Sent: Tuesday, June 8, 2021 5:22 PM
>> To: Nancy O'Neil <NONeil@salina.ny.us>
>> Cc: V. James Magnarelli (Councilor) <vmags@gmail.com>; Nick Paro
>> <Nick.Parolstward@gmail.com>; Daniel Ciciarelli
>> <ciciarelli3rdward@gmail.com>; David Carnie
>> <councilorcarnie@gmail.com>; Doug Wickman <dwickman@salina.ny.us>;
>> Frank C. Pavia <fpavia@HarrisBeach.com>; Colleen Gunnip
>> <cgunnip@salina.ny.us>
>> Subject: RE: Response to EPA General Notice Letter
>>
>> Ms. O'Neil,
>>
>> EPA acknowledges receipt of the Town's response.
>>
>> Thank you,
>>
>> Margo
>>
>> Margo Ludmer
>> Assistant Regional Counsel
>> New York/Caribbean Superfund Branch
>> Office of Regional Counsel
>> U.S. Environmental Protection Agency, Region 2
>> 212.637.3187
>>
>> -----Original Message-----
>> From: Nancy O'Neil <NONeil@salina.ny.us>
>> Sent: Monday, June 7, 2021 4:45 PM
>> To: Ludmer, Margo <ludmer.margo@epa.gov>
>> Cc: V. James Magnarelli (Councilor) <vmags@gmail.com>; Nick Paro
>> <Nick.Parolstward@gmail.com>; Daniel Ciciarelli
>> <ciciarelli3rdward@gmail.com>; David Carnie
>> <councilorcarnie@gmail.com>; Doug Wickman <dwickman@salina.ny.us>;
>> fpavia@HarrisBeach.com; Colleen Gunnip <cgunnip@salina.ny.us>
>> Subject: Response to EPA General Notice Letter
>>
>> Dear Ms. Ludmer:
>>
>> Please find the attached general notice response letter.
>>
>> If you have any questions, please don't hesitate to reach out to us.
>>
>> Kindly,
>>
>>
>> Nancy O'Neil
>> Executive Assistant to the Supervisor Town of Salina
>> 201 School Road
>> Liverpool, New York 13088
>> Phone: (315) 457-6661
>> Fax: (315) 457-4476
>> noneil@salina.ny.us
>> Website
>> Newsletter Signup
>> FaceBook
>> Twitter
>>